



**SUBJECT:** Investigation report from Burlington Ombudsman MUN-13233-0321

**TO:** Corporate Services, Strategy, Risk & Accountability Cttee.

**FROM:** Office of the City Clerk

Report Number: CL-18-22

Wards Affected: All

File Numbers: 110-03

Date to Committee: June 6, 2022

Date to Council: June 21, 2022

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### **Recommendation:**

Receive and file office of the city clerk report CL-18-22 regarding the investigation from the Ombudsman, file MUN-13233-0321.

### **PURPOSE:**

To receive an investigation report from the City's Ombudsman.

### **Vision to Focus Alignment:**

- Deliver customer centric services with a focus on efficiency and technology transformation
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### **Background and Discussion:**

The Public Sector and MPP Accountability and Transparency Act came into force on January 1, 2016. This legislation expanded the function of the provincial Ombudsman to include investigation of decisions or recommendations with respect to the administrative actions of a municipality. The Municipal Act enables a municipality to appoint their own Ombudsman, who is tasked with conducting investigations with respect to the administrative actions of the municipality.

In December 2020, Council re-appointed ADR Chambers as the Ombudsman for the City of Burlington. The established procedures require that any investigative reports with recommendations must be considered by Council.

Conclusion and Recommendation from the Investigator outlined in their report (appendix B):

I am satisfied that the City followed its processes and procedures acceptably. There is no basis for a recommendation against the City, and the issue between the parties is predominantly moot now anyway.

### **Process items Specific to Ombudsman Reports**

- At the July 9, 2020 meeting committee requested that a summary be included as part of the package submitted with the report. ADR Chambers has complied, and it now forms appendix A to this report.
- Appendix B is an investigation report conducted by ADR Chambers on the file MUN 13233-0321, which features a narrative style of reporting on their investigation, it also includes a recommendation section (no recommendation has been provided).

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### **Financial Matters:**

The administrative fee for ADR Chambers is \$1,000 per month. There are additional costs for investigations. Total costs are reported publicly through an annual report process. The costs are paid from the Legal Contingency Reserve.

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### **Climate Implications**

Not applicable.

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### **Engagement Matters:**

Not applicable.

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### **Conclusion:**

This report transmits an investigation report from ADR Chambers and staff's response.

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Respectfully submitted,

Kevin Arjoon

City Clerk

905-335-7600

**Appendices:**

A. Executive Summary of Investigation MUN-13233-0321 from ADR Chambers

B. Final Report regarding MUN-13233-0321 with findings from ADR Chambers

**Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.